

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

Mondaire Jones, et al.,
*individually, and on behalf of all others
similarly situated,*

Plaintiffs,

v.

United States Postal Service, et al.,
Defendants.

Docket No. 20-cv-6516-VM

**DECLARATION OF
JOSE CARLOS BARRIOS**

COUNTY OF BEXAR)
) ss.:
STATE OF TEXAS)

I, JOSE CARLOS BARRIOS, being duly sworn, depose and say:

1. I am a natural person, residing in San Antonio, Texas, and I make this Declaration based on my personal knowledge.

2. I am currently the Clerk Craft Director for the San Antonio Alamo Area Local #195 chapter of the American Postal Workers Union.

3. I am also a Mail Processing Clerk at the San Antonio Main Post Office.

4. I have worked in various United States Postal Service jobs in Texas for 33 year. Between my USPS official duties and my union duties, I am extremely familiar with all the goings-on at the main San Antonio post office and sorting plant.

5. In or around January, two of our sorting machines were removed from our facility, and after directions from Washington D.C., an additional four machines were removed.

6. Because of that, the pandemic, and other policy changes, there is an extraordinary mail backlog and delay in our facility. Right now, I would estimate

we are, on average, 2-3 days behind our usual service standard, with some mail far more behind.

7. On August 19, 2020, U.S. Representative Joaquin Castro toured our facility after reports of the delays and issues with sorting machines.

8. The management of the facility, in my view, decided to put on a display that was entirely deceitful and designed to hide the serious issues we are confronting. During the tour, I was given, essentially, a gag-order, and was told not to correct or clarify anything Rep. Castro was told.

Large Volumes of Undelivered and Delayed Mail

9. First, there were large piles of mail on the sorting floor – somewhere between 30,000 and 54,000 mail-pieces – backed up from as long ago as March (but mostly in the territory of several weeks late).

10. In advance of Rep. Castro's tour, however, the management decided to hide that mail. The senior plant manager told me something to the effect of, "Carlos, so you won't be alarmed, we're taking the mail that's been delayed for weeks and putting in trailers to be transported to Austin." There was no reason for that delayed mail to be sent to Austin, and the only result of that transportation was that it would eventually make its way back to San Antonio, even further delayed. The only possible purpose of that transportation would have been to physically hide these massive piles of late mail from Rep. Castro.

11. In my role as union representative, I listen to and address plant employee concerns, and – as the senior manager expected – I immediately heard concerns from many employees on the floor about moving the delayed mail, asking questions

like “what are we doing?” and “why are we doing this?” My response was to tell them they needed to follow management instructions.

12. Even in the last few days, I have had a few clerks – who wish to remain anonymous – reach out to me about mail that was delayed for weeks. One clerk told me that he was still running mail that was dated July 20 as of this week. Much of this mail is only delayed because of what are, in my view, pointless new steps taken by management rather than allowing us to sort the mail the same way we have in the past. In this instance, management was insisting on running mail through *additional* (this would be the sixth machine) machine sorting when there is no question that this mail will not be successfully sorted by machine and needs to be sorted manually.

Destroyed Sorting Machines

13. Second, in the issues around Rep. Castro’s visit, the management essentially dressed up our two destroyed machines and (falsely) told the Representative that they would be putting them back into service.

14. The six machines – (The machines that were removed were Delivery Barcode Sorting Machines, which process up to 35,000 pieces of mail per hour) – Maintenance Mechanic Oscar was instructed by his supervisor to reassemble the two machines that were previously disassembled by a team of mechanics, who worked for 8 hours a day for about a week on disassembling them.

15. After that work, there was no way the machines would ever be usable again: they were taken apart with an eye towards making them sellable as scrap, and the work to reassemble them would take weeks if it was possible at all.

16. When Rep. Castro's tour was announced, management asked the mechanics to put the machines back in place for the tour. The mechanics told plant management, essentially, the only thing they could do was line the machines up so they *looked* like they were re-assembled, but it would be impossible to power these machines up again. Management told the mechanics to make the machines look good.

17. Thus, during the tour, management (falsely) told Rep. Castro that the machines were already back in place and were running.

18. They even staged mail containers next to the machine, which would serve no purposes besides giving the implicit impression that the machine would, at some point, be used to process that mail.

19. To be clear, though, those machines are not coming back, as they are right now. They have been dismantled and cannibalized for spare parts. They are little more than scrap metal at this point.

20. The absences of these machines will place a burden on our ability to process the mail as our Seasoned Holiday Mail would start to start coming in.

Past Elections and Other Practices

21. In March of this year, Texas held primary elections, and even then we ran into some issues.

22. In past years, our mail processing clerks would have always pulled election mail out of the mail flow manually during election season, because election mail must be processed specially.

23. However, in the primary and for November, managers are *now* telling employees they must *first* run Election Mail through the first set of sorting machines, rather than pulling ballots out to be sorted and cancelled separately (on a different set of machines).

24. In March, because of this directive, we did not ultimately catch all the ballots, and by my estimates, we missed about $\frac{1}{4}$ of what came through the San Antonio office in initial sorting.

25. Because this sorting issue meant that we didn't handle election mail ahead of other mail – again, the way we've always handled it in the past – ultimately, a significant number of ballots stayed on the mail floor and were not delivered or postmarked in time for the March primary deadline.

26. Similarly, the handling of our machines has been a dramatic departure from past practice.

27. In the past, rather than destroying machinery, when mail volume dipped, we would cover the machines and power them down, but leave ourselves the ability to start them back up when mail volume spiked. This flexibility allowed us to address the dramatic seasonal differences in how much mail we need to handle.

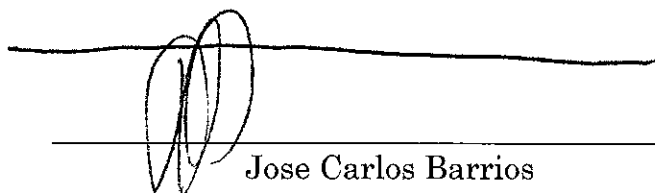
28. Never in my 33 years of work at USPS have I seen machines handled the way our six sorting machines were this year.

29. Now, however, I worry that we are simply are not prepared for anything unexpected and the delays that already exist will be compounded by even the ordinary volume of election mail – at least, if the workers continue to be micromanaged and not allowed to simply sort and deliver the mail.

30. And all of this gives me great concern for mail during the November General Election. While our past practices would position us well to handle what is likely to be a significant task in pulling out and specially handling an unprecedented volume of election mail, the reduced capacity from missing machines, as well as the (constantly shifting) micro-management and inflexibility is a disaster in the making.

As permitted in 28 U.S.C § 1746, I, Carlos Barrios, declare that, under penalty of perjury that the foregoing is true and correct.

Executed On: August 25, 2020

A handwritten signature, appearing to be 'JC Barrios', is written over a horizontal line. Below the signature, the name 'Jose Carlos Barrios' is printed.